

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

LORENA TRUJILLO, individually, and
on behalf of other members of the general
public similarly situated,

Plaintiff,

vs.

AVON PRODUCTS, INC., a corporation
organized and existing under the laws of
the State of New York,

Defendant.

This stipulation also relates to:
MONIQUE QUINTNA, Individually and
on behalf of all others similarly situated,

Plaintiff,

vs.

AVON PRODUCTS, INC.

Defendant.

Case Number: 2:12-cv-09084-GW-JC
CLASS ACTION

**ORDER CONSOLIDATING RELATED
CASES AND SETTING BRIEFING
SCHEDULE REGARDING MOTION
FOR CLASS CERTIFICATION**

District Judge: Hon. George H Wu

Magistrate Judge: Hon. Jacqueline
Chooljian

Case Filed: Oct. 23, 2012

Trial Date: None Set

Case No.: 2:12-cv-09629-GW-JC

ORDER

The Court, having reviewed the contents of the Joint Stipulation Regarding Consolidation of Related Cases and Briefing Schedule Regarding Motion for Class Certification (Trujillo Dkt. No. 11) submitted by Plaintiffs Lorena Trujillo and Monique Quintna (“Plaintiffs”) and Defendant Avon Products, Inc. (“Defendant”) (collectively, the “Parties”), and finding good cause therein, hereby orders as follows:

CONSOLIDATION OF RELATED CASES

1. As discussed in the Court’s order dated November 20, 2012 (Quintna Dkt. No. 4), the following are related cases within the meaning of Central District of California Civil Local Rule 83-1.3:

<u>Abbreviated Case Name</u>	<u>Case Number</u>	<u>Date Filed</u>
<i>Lorena Trujillo v. Avon Products Inc.</i>	2:12-cv-09084-GW-JC	Oct. 23, 2012
<i>Monique Quintna v. Avon Products Inc.</i>	2:12-cv-09629-GW-JC	Nov. 9, 2012

2. Under Federal Rule of Civil Procedure 42(a), these cases are hereby consolidated into Civil Action No. 2:12-cv-09084-GW-JC for all purposes before this Court.

3. The consolidated action shall be captioned: “*IN RE: Avon Anti-Aging Skincare Creams and Products Marketing and Sales Practices Litigation*”

4. This Order is entered without prejudice to the rights of any party to apply for severance of any claim or action, for good cause shown.

MASTER DOCKET AND CAPTION

5. The docket in Civil Action No. 2:12-cv-09084-GW-JC shall constitute the Master Docket for this action and every subsequently identified related action in the consolidated action.

6. Every pleading filed in the consolidated action shall bear the following caption:

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

*IN RE: Avon Anti-Aging Skincare Creams
and Products Marketing and Sales
Practices Litigation*

Case No.: 2:12-cv-09084-GW-JC
CONSOLIDATED CLASS ACTION

[DOCUMENT NAME]

District Judge: Hon. George H Wu

Magistrate Judge: Hon. Jacqueline
Chooljian

Case Filed: Oct. 23, 2012
Trial Date:

7. The parties may file a Notice of Related Cases under Central District of California Civil Local Rule 83-1.3 whenever a related action that should be consolidated into this action is filed in, or transferred to, this District. If the Court determines that the case is related, the clerk shall:

- (a) place a copy of this Order in the separate file for such action;
- (b) serve on plaintiff's counsel in the new case a copy of this Order;
- (c) direct that this Order be served upon the parties in the new case; and
- (d) make the appropriate entry in the Master Docket.

1 8. All related actions that are subsequently filed in, or transferred to, this
2 District shall be consolidated into this action for all purposes. This Order shall apply to
3 every such related action, absent order of the Court. A party who objects to such
4 consolidation, or to any other provision of this Order, must file an application for relief
5 from this Order within thirty (30) days after the date on which a copy of the order is
6 mailed to the party's counsel, as set forth in Paragraph 11, *infra*.

7 APPOINTMENT OF PLAINTIFFS' CO-LEAD INTERIM COUNSEL

8 9. The law firm of Baron & Budd, P.C. and the law firm of Glancy Binkow &
9 Goldberg LLP are hereby appointed as Plaintiffs' Co-Lead Interim Counsel for Plaintiffs
10 and the putative class.

11 10. Plaintiffs' Co-Lead Interim Counsel shall be responsible for the following
12 matters on behalf of Plaintiffs and the putative class: (a) the initiation, response,
13 scheduling, briefing and argument of all motions; (b) the scope, order and conduct of all
14 discovery proceedings; (c) the designation of attorneys to appear at hearings and
15 conferences; (d) the timing and substance of any settlement negotiations with Defendant;
16 and (e) any other matters concerning the prosecution and resolution of the consolidated
17 action. Defendant's counsel may rely upon agreements made with Plaintiffs' Co-Lead
18 Interim Counsel, and such agreements shall be binding on Plaintiffs and the putative class.

19 11. The Parties shall serve all papers on each other by ECF filing, email, hand or
20 by overnight delivery, or as otherwise agreed upon by the Parties. Notwithstanding the
21 foregoing, Defendant may serve plaintiffs' counsel in other, subsequently identified
22 related actions by first-class mail until it is determined by the Court that any such
23 action(s) shall be related and consolidated into this action.

THE CONSOLIDATED COMPLAINT, DEFENDANT’S RESPONSE AND
PLAINTIFFS’ MOTION FOR CLASS CERTIFICATION

12. Within twenty five (25) days after the Court enters this Order, Plaintiffs’ Co-Lead Interim Counsel shall file a Consolidated Complaint.

13. Defendant shall file a response to the Consolidated Complaint no later than forty five (45) days after Plaintiffs file the Consolidated Complaint. Defendant need not file a response to the Complaint in *Lorena Trujillo v. Avon Products Inc.*, Case No. 2:12-cv-09084-GW-JC (C.D. Cal., filed Oct. 23, 2012) or the Complaint in *Monique Quintna v. Avon Products Inc.*, Case No. 2:12-cv-09629-GW-JC (C.D. Cal., filed Nov. 9, 2012).

14. As a result of the extension concerning Defendant’s response to the Consolidated Complaint, and to allow the Plaintiffs time to conduct reasonable discovery prior to the filing of Plaintiffs’ Motion for Class Certification, the existing deadline under Central District of California Civil Local Rule (“L.R.”) 23-3 is hereby vacated.

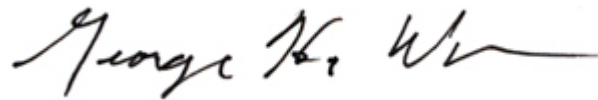
15. The following schedule shall govern the briefing concerning class certification:

- a. Plaintiffs shall file their Motion for Class Certification no later than ninety (90) days after Defendant files its Answer to the Consolidated Complaint, or, if amendments are made to the Consolidated Complaint as a result of motion practice or otherwise, then, Plaintiffs shall file their Motion for Class Certification no later than ninety (90) days after Defendant files its Answer to any Amended Consolidated Complaint. Plaintiffs shall include with their moving papers any expert declarations that they intend to rely upon in seeking class certification;
- b. Between two weeks and six weeks after moving for class certification, Plaintiffs shall make available for deposition the Plaintiffs and any declarants (including experts) relied upon in their moving papers;

- 1 c. Defendant shall have sixty (60) days from the filing of the motion for
2 class certification to file any brief in opposition to class certification,
3 including any expert declarations that it is relying upon;
4 d. Defendant shall make available for deposition any declarants
5 (including experts) relied upon in its opposition papers within fifteen
6 (15) days after filing any brief in opposition to class certification; and
7 e. Plaintiffs shall have thirty (30) days from the filing of Defendant's
8 brief in opposition to class certification to file any reply papers in
9 support of class certification.
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11 IT IS SO ORDERED.

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13 Dated: December 21, 2012



14 Honorable George H. Wu
15 United States District Judge
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